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SUBJECT: G/TIP AMBASSADOR MILLER'S DECEMBER 3-6 VISIT:
PRESSING THE NEED FOR MORE PROSECUTIONS AND CONVICTIONS

REF: A. MANILA-G/TIP UNCLASS EMAIL 12/12/05

- [B](#). MANILA 5710
- [C](#). MANILA 5633
- [D](#). MANILA 5326
- [E](#). MANILA 4984
- [F](#). MANILA 4199
- [G](#). MANILA 3500

[1](#). (U) This message is Sensitive but Unclassified -- Please handle accordingly.

[2](#). (U) Summary: G/TIP Director Ambassador John Miller visited the Philippines December 3-6 to evaluate GRP progress in addressing serious problems that resulted in its Tier Two Watch List rating in 2004 and 2005. Meetings with government officials, NGOs, and the media focused on increasing the number of prosecutions and convictions for human trafficking. Ambassador Miller also discussed the needs for more effective law enforcement cooperation to fight cross-border trafficking and an end to the exploitation of Filipino "entertainers" in Japan, as well as USG project assistance to the local anti-TIP effort. The visit -- which included meetings in Zamboanga City in Mindanao as well as a full schedule in Manila -- received extensive and positive media coverage. (Ref B reports on unprecedented convictions under GRP's 2003 anti-trafficking law, which judicial authorities announced during Ambassador Miller's visit.) End Summary.

Need for More Prosecutions and Convictions

[3](#). (U) G/TIP Director Ambassador John Miller's December 3-6 visit focused on key areas for improvement identified in the 2005 TIP report on the Philippines, notably few prosecutions and no convictions of traffickers under the Philippine 2003 anti-trafficking law, Republic Act 9208. Ambassador Miller underscored the need for GRP law enforcement and judicial agencies especially to take the issue more seriously and to make solid progress in bringing traffickers to justice now. GRP interlocutors admitted slow progress, described inefficiencies in the Philippine judicial system -- due to overburdened police and courts, as well as systemic problems of poor police-prosecutor cooperation, witness tampering, and corruption -- but promised greater efforts.

[4](#). (U) During Ambassador Miller's visit to Zamboanga City in Mindanao on December 5, the Regional Trial Court announced that earlier that day it had convicted two members of a trafficking syndicate and sentenced them to life in prison and a 2.5 million peso (USD 47,000) fine for recruiting a woman to work in a restaurant then selling her to a brothel in Malaysia (ref B). These were the first jail sentences handed down under R.A. 9208, although three other traffickers separately pled guilty in November to a minor offense under this law, resulting in a sentence of six months community service (ref C). The Zamboanga Interagency Council Against Trafficking (IACAT), established to implement the anti-trafficking law locally, described how it had established close cooperation between the prosecutor's office and police in order quickly to prepare a solid case in the more important case. In addition, the judge hearing the case held weekly "marathon" hearings, resulting in a speedy trial -- only four months from arrest to conviction. There are currently about 60 cases filed under R.A. 9208.

[5](#). (SBU) In a December 6 meeting in Manila with members of the national IACAT, prosecutors noted that the dockets in metro Manila had more cases and that many positions in the prosecutor's office remain vacant due to low salaries, which made progress in the capital region difficult. According to Attorney Romulo Asis, head of the National Bureau of Investigation (NBI)'s Anti-Human Trafficking Division (AHTRAD), coordination between investigators and prosecutors is severely limited. Although Philippine law does not prohibit law enforcers from working with prosecutors to build a strong case, the prevailing culture frowns upon such

cooperation. Assistant Chief State Prosecutor Severino Gana reported that the Department of Justice (DoJ) has increased the number of prosecutors working on TIP cases to 95. He added that the DoJ was expanding training for TIP prosecutors with help from a USG-funded project (see para 8) and it was preparing a manual for prosecutors outlining how to prepare more effective cases. In a separate meeting with Ambassador Miller, Secretary of Justice Raul Gonzalez expressed confidence that more TIP cases would be resolved in the coming months. Ambassador Miller stressed the importance of maintaining momentum on TIP prosecutions so that traffickers get the message that dealing in human slavery will not be tolerated in the Philippines.

Cooperation on International Cases

16. (SBU) Officials from AHTRAD and the DoJ noted that they had cooperated with U.S. officials to investigate and return to the U.S. four Amcits who were eventually convicted under the U.S. PROTECT Act for committing sex crimes in the Philippines. Ambassador Miller assured the GRP officials that the USG is committed to fighting trafficking worldwide -- including within the U.S. -- and asked for the continued cooperation of GRP authorities in bringing American traffickers to justice as well. GRP officials commented that they have received only limited cooperation from Malaysian officials in several cases of trafficking, including the successful case in Zamboanga. (Note: Malaysia is reportedly a destination for victims trafficked from the Philippines to work as domestic servants and in the sex trade. End Note.)

Trafficking "Entertainers" to Japan

17. (SBU) Minister Eiichi Oshima, Deputy Head of Mission and Consul General of the Japanese Embassy in Manila, told Ambassador Miller that stricter regulations for "entertainer" visas had reduced the number of Filipino workers traveling to Japan for such work drastically. Since the new rules took effect in March 2005, the number of entertainer visas issued by the Japanese Embassy has fallen steadily, as applications filed under the old rules worked through the system (ref F). By November 2005, entertainer visa issuances had fallen by 88 percent compared to November 2004. Oshima reported that, after initially fighting the new rules, the GRP had accepted the increased scrutiny given to entertainer visa applicants. This acquiescence occurred following public statements by a group of NGOs and the Catholic Bishops' Conference of the Philippines (CBCP) in early 2005 supporting the GoJ's plan to reduce trafficking of Filipino women to Japan.

USG Assistance

18. (U) Members of Mission's inter-agency TIP working group briefed Ambassador Miller on several ongoing USG-funded projects to support the prosecution of TIP cases and to enhance public education and victims' assistance programs. The Rule Of Law Effectiveness (ROLE) program, End Child Prostitution and Trafficking (ECPAT), the American Center for International Labor Solidarity (ACILS), and the Visayan Forum Foundation (VFF) have educated hundreds of police, prosecutors, and social workers on the 2003 anti-trafficking law and on how to prosecute cases more effectively under the law (ref E). The prosecutors and police in Zamboanga were among the first recipients of ROLE-sponsored training in June 2005. The International Justice Mission (IJM), also operating with a USG grant, provides attorneys free of charge to TIP victims to help them pursue cases against traffickers. (Note: The Philippine judicial system allows private attorneys to file criminal TIP cases on behalf of victims to augment the insufficient number of government prosecutors. End Note.)

19. (U) Other USG-sponsored programs seek to raise public awareness of the dangers of trafficking and to assist victims. The CBCP's National Office of Mass Media (NOMM) runs public information campaigns using TV, radio, newspapers, web sites, and text messaging campaigns to educate the public on the dangers of trafficking. The Coalition Against Trafficking in Women (CATWAP) offers education to vulnerable communities to try to prevent women and children from falling victim to traffickers. During a December 4 visit to the Visayan Forum Foundation's (VFF) halfway house in Manila -- which is partially supported by the USG -- Ambassador Miller met with trafficking victims, who shared their stories, often ones of graphic horror. VFF provides shelter and job training to victims whom it intercepts at ports along trafficking routes with the help of the Philippine Coast Guard, Port Police, and shipping

companies. VFF also supports victims in pursuing criminal cases against the traffickers. These and other NGOs presented reports of their progress and shared insights into the nature of the trafficking problem in the Philippines at a December 6 roundtable discussion. Ambassador Miller thanked them for their dedication and urged them to continue to fight on behalf of Filipino trafficking victims.

Press Coverage

10. (U) Major national newspapers covered Ambassador Miller's visit and the trafficking convictions in Zamboanga. At a December 6 press conference, journalists questioned whether the Philippines' current Tier Two Watch List ranking would go up or down in 2006. Ambassador Miller responded that additional convictions of traffickers would be a crucial factor in determining next year's ranking, but pointed out that the TIP Report is not a goal in itself, but rather a tool to "shine a spotlight" on the trafficking problem, with the goal of ending this scourge and the toll it takes on so many victims internationally. Several major newspapers also carried press releases issued by Zamboanga City Mayor Celso Lobregat and the DoJ trumpeting the December 5 TIP convictions. Ref A contains a column by well-known Catholic anti-TIP activist Father James Reuter noting the importance of Ambassador Miller's visit and of USG assistance in this area. Father Reuter met with Ambassador Miller during the December 6 NGO roundtable discussion.

11. (U) Ambassador Miller did not have the opportunity to review this message.
JONES